KEVIN G. HORBATIUK (KGH-4977) MATTHEW P. MAZZOLA (MM-7427) RUSSO, KEANE & TONER, LLP Attorneys for Defendant CUNNINGHAM DUCT WORK s/h/i/a CUNNINGHAM DUCT CLEANING CO., INC. 26 Broadway - 28th Floor New York, New York 10004 (212) 482-0001

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

IN RE COMBINED WORLD TRADE CENTER AND LOWER MANHATTAN DISASTER SITE LITIGATION --X

21 MC 103 (AKH)

RAMON ZAMBRANA,

DOCKET NO: 08 CV 2320

Plaintiff,

-against-

7 WORLD TRADE COMPANY, L.P., A RUSSO WRECKING, INC., ABM INDUSTRIES INC., ABM JANITORAL NORTHEAST, INC., AMEC MANAGEMENT, INC., AMEC EARTH **APPEARANCE** ENVIRONMENTAL, INC., ANTHONY CORTESE SPECIALIZED HAULING LLC., ATLANTIC HEYDT CORP., BECHTEL ASSOCIATES PROFESSIONAL CORPORATION; BECHTEL CONSTRUCTION, INC., BECHTEL CORPORATION; BECHTEL ENVIRONMENTAL INC., BERKEL & COMPANY, CONTRACTORS. INC., BIG APPLE WRECKING & CONSTRUCTION CORP., BOVIS LEND LEASE LMB, INC., BREEZE CARTING CORP., BREEZE NATIONAL INC., BRER-FOUR TRANSPORTATION CORP., BURO HAPPOLD CONSULTING ENGINEERS, P.C., C.B. CONTRACTING CORP., CANRON CONSTRUCTION COP., CORD CONTRACTING CO., INC., DAKOTA DEMO TECH: DIAMOND POINT EXCAVATING CORP., DIEGO CONSTRUCTION, INC., DIVERSIFIED CARTING, INC., DMT ENTERPRISE, INC., D'ONOFRIO GENERAL CONTRACTORS CORP., EAGLE LEASING & INDUSTRIAL SUPPLY INC., EAGLE ONE ROOFING

NOTICE OF

Page 2 of 5

CONTRACTORS, INC., ED DAVIES, INC., EN-TECH CORP., EVERGREEN RECYCLING OF CORONA (EROC) EWELL W. FINLEY, P.C., EXECUTIVE MEDICAL SERVICES, P.C. FLEET TRUCKING, INC., FRANCIS A. LEE EXTERIOR RESTORATION: INC.. FTI TRUCKING, INC., GILSANZ, MURRAY & STEFICEK LLP., GOLDSTEIN KOCH SKANSKA INC., LAQUILA CONSTRUCTION INC., LASTRADA GENERAL GENERAL CONTRACTING CORP., LESLIE E. ROBERTSON ASSOCIATES CONSULTING **ENGINEERS, P.C., LIBERTY MUTUAL GROUP;** LOCKWOOD, KESSLER & BARTLESS, INC. LUCIUS PITKIN, INC., LZA TECH-DIV OF THORTON TOMASTEEL, MANAFORT **BROTHERS INCORPORATED: MAZZOCCHI** WRECKING INC., HUDSON MERIDIAN CONSTRUCTION GROUP; LLC F/K/A MERIDIAN CONSTRUCTION CORP., MORETRENCH AMERICAN CORP., MRA ENGINEERING, P.C., MUESER RUTLEDGE CONSULTING ENGINEERS, INC., NACIREMA INDUSTRIES INCORPORATED: NEW YORK CRANE & EQUIPMENT CORP., NICHOLSON CONSTRUCTION COMPANY; PETER SCALAMANDRE & SONS, INC., PINNACLE ENVIRONMENTAL CORP., PLAZA CONSTRUCTION CORP., PLAZA CONSTRUCTION CORP., PRO SAFETY SERVICES, LLC.: PT & L CONTRACTING CORP., ROBERT SILMAN ASSOCIATES, ROBERT L. GEROSA, INC., RODAR ENTERPRISES, INC., ROYAL GM, INC., SAB TRUCKING INC., SAFEWAY ENVIRONMENTAL CORP., SEASONS INDUSTRIAL CONTRACTING; SEMCOR EQUIPMENT & MANUFACTURING CORP.. SILERITE CONTRACTING CORPORATION; SIMPSON GUMPERTZ & HEDGER, INC., SKIDMORE, OWING & MERRILL LLP; SURVIVAIR, TISHMAN CONSTRUCTION CORPORATION OF MANHATTAN; TISHMAN CONSTRUCTION CORPORATION OF NEW YORK; TISHMAN INTERIORS **CORPORATION; TISHMAN SPEYER PROPERTIES:** THORTON-TOMASETTI, GROUP, INC., TORRETTA TRUCKING, INC., TOTAL SAFETY CONSULTING, LLC., TUCCI EQUIPMENT RENTAL CORP., TULLY CONSTRUCTION CO., INC., TURNER CONSTRUCTION COMPANY; ULTIMATE **DEMOLITION CS HAULING (JOINT VENTURE): VOLLMER** ASSOCIATES LLP., WEEKS MARINE INC., WEIDLINGER

ASSOCIATES, CONSULTING ENGINEERS, P.C., WHITNEY CONTRACTING INC., WOLKOW-BRAKER ROOKING CORP., WORLD TRADE CENTER PROPERTIES, LLC., WSP CANTOR SEINUK, YANUZZI & SONS, INC., YONKERS CONTRACTING COMPANY, INC., YORK HUNTER CONSTRUCTION, LLC., ZIEGENFUSS DRILLING, INC.,

OFF SITE:

100 CHURCH, LLC, ALAN KASMAN DBA KASCO, AMBIENT GROUP, INC., AMERICAN EXPRESS BANK, LTD., AMERICAN **EXPRESS COMPANY, AMERICAN EXPRESS** TRAVEL RELATED SERVICES COMPANY, INC., ANN TAYLOR STORES CORPORATION. BANKERS TRUST COMPANY, BATTERY PARK CITY AUTHORITY, BFP TOWER C. CO., LLC., BFP TOWER C MM LLC., BLACKMON-MOORING STEAMATIC CATASTOPHE, INC., d/b/a BMS CAT, BROOKFIELD FINANCIAL PROPERTIES, INC., BROOKFIELD FINANCIAL PROPERTIES, LP, **BROOKFIELD PARTNERS, LP, BROOKFIELD** PROPERTIES CORPORATION, BROOKFIELD PROPERTIES HOLDING, INC., CUNNINGHAM DUCT CLEANING CO., DEUTSCHE BANK TRUST COMPANY, DEUTSCHE BANK TRUST COMPANY AMERICAS, DEUTSCHE BANK TRUST CORPORATION. ENVIROTECH CLEAN AIR, INC., GPS ENVIRONMENTAL CONSULTANTS, INC., HILLMAN ENVIRONMENTAL GROUP, LLC., INDOOR ENVIRONMENTAL TECHNOLOGY, INC., KASCO RESTORATION SERVICES CO., LAW ENGINEERING, P.C., LEHMAN BROTHERS HOLDINGS, INC., LEHMAN BROTHERS, INC., LEHMAN COMMERCIAL PAPER, INC., MERRILL LYNCH & CO., INC. NOMURA HOLDING AMERICA, INC., NOMURA SECURITIES INTERNATIONAL, INC., ROYAL AND SUNALLIANCE INSURANCE GROUP, STRUCTURE TONE (UK), INC., STRUCTURE TONE GLOBAL SERVICES, INC., THE BANK OF NEW YORK TRUST COMPANY, N.A., TISHMAN INTERIORS CORPORATION, TOSCORP INC., TRAMMELL CROW COMPANY, TRAMMELL CROW CORPORATE SERVICES, INC.,

TRC ENGINEERS, INC., TUCKER ANTHONY, INC., TULLY CONSTRUCTION CO., INC., TULLY INDUSTRIES, INC., VERIZON NEW YORK, INC., WESTON SOLUTIONS, INC., WFP RETAIL CO., G.P., CORP., WFP RETAIL CO., L.P., WFP TOWER A CO., WFP TOWER A CO., G.P., CORP., WFP TOWER A. CO., L.P., WFP TOWER B CO. G.P., CORP., WFP TOWER B HOLDING CO., LP., WFP TOWER B. CO., L.P., and ZAR REALTY MANAGEMENT CORP., et al.

Defendants.

To the Clerk of this Court and all parties of record:

Enter my appearance as counsel in this case for:

CUNNINGHAM DUCT WORK s/h/i/a CUNNINGHAM DUCT CLEANING CO., INC.

I certify that I am admitted to practice in this court.

Dated: New York, New York

April 30, 2008

Kevin G. Horbatiuk

Kevin G. Horbatiuk (KGH4977) Matthew P. Mazzola (MM7427)

Attorneys for Defendant

CUNNINGHAM DUCT WORK s/h/i/a CUNNINGHAM DUCT CLEANING CO.,

INC.

RUSSO, KEANE & TONER, LLP 26 Broadway, 28th Floor New York, New York 10004 (212) 482-0001 RKT File No. 824.078

TO: CHRISTOPHER R. LaPOLA, ESO., WORBY GRONER EDELMAN & NAPOLI BERN, LLP Attorney for Plaintiff RAMON ZAMBRANA 115 Broadway 12th Floor New York, New York 10006 (212) 267-3700

CERTIFICATION OF SERVICE

I hereby certify that a copy of the above and foregoing has been served upon the following listed person by placing a copy of the same in the United States mail, postage prepared and properly addressed, this the 30th day of April, 2008.

CHRISTOPHER R. LaPOLA, ESQ., WORBY GRONER EDELMAN & NAPOLI BERN, LLP Attorney for Plaintiff RAMON ZAMBRANA 115 Broadway 12th Floor New York, New York 10006

KEVIN G. HORBATIUK

Kevin & Horbatuk